



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

Insurance Building, PO Box 43113 • Olympia, Washington 98504-3113 • (360) 902-0555

June 12, 2003

TO: Chief Ronal W. Serpas
FROM: Marty Brown, Director
SUBJECT: Washington State Patrol Reported Incident (03-14) Does Not Merit Review

Pursuant to RCW 43.41.370 and the Guidelines For Reporting Incidents to the Office of Financial Management (OFM), the Washington State Patrol (WSP) submitted an Incident Report to OFM. The Report notified OFM that on November 26, 2002, a trooper was involved in a pursuit of a stolen vehicle. The pursuit ended when the stolen vehicle rolled over after the trooper executed a second Pursuit Immobilization Technique (PIT). The passenger in the vehicle was seriously injured while the driver received moderate injuries. The WSP reported that it was conducting an internal investigation of the pursuit and use of the PIT.

The WSP internal investigation found the trooper complied with the agency's pursuit and PIT policies and procedures. The WSP is also reviewing their vehicle pursuit policies and procedures to determine if changes are warranted.

In addition, Substitute Senate Bill 5165, which intends to improve safety related to vehicle pursuits, was enacted into law this past legislative session. SSB 5165 requires the development of a written model policy on vehicle pursuits, by a group, which includes the WSP, due December 1, 2003. The bill further sets forth requirements in regards to training.

RCW 43.41.370(1) requires the Director of OFM to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency unless the Director, in his or her discretion, determines that the incident "does not merit review". Applying the criteria for loss prevention reviews, issued November 18, 2002, I have determined that the incident you reported does not merit review. There was a person seriously injured in the incident and there is a risk of future occurrences. However, the WSP did an internal investigation of the incident and is conducting a broader review of its pursuit and PIT policy. Also, the recent legislation is intended to result in a model pursuit policy and associated training. This legislative activity is similar to what a review team would be undertaking. Therefore, no further review is warranted at this time.

This decision will be posted on the OFM website. If you have any questions about the criteria or its application to this incident, please contact either Roselyn Marcus at (360) 902-7396 or Gary Robinson at (360) 902-0528.

cc: Barbara Wiehrl, Washington State Patrol
Roselyn Marcus, Case Management Coordinator, OFM